

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BRITTANY APPLEBERRY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

DUNKIN' INC., and

BOSTON UNIVERSITY SCHOOL OF
DENTAL MEDICINE

Defendants.

Civil Action No. 22-cv-11627

ORDER

The Court having been fully apprised that the United States Attorney has certified that Whittier Street Health Committee, Inc., d/b/a Whitter Street Health Center, (“WSHC”) was deemed to be a Public Health Services entity for purposes of [42 U.S.C. § 233\(c\)](#) and thus covered by the Federal Tort Claims Act (“FTCA”), 28 U.S.C. § § 1346(b), 2401(b), 2671-80, at the time of the incidents giving rise to the Complaint, and the Court having been apprised of the substitution of the United States as the defendant:

It is hereby ORDERED that the Complaint is dismissed with respect to WSHC.

It is further ORDERED that the caption of this action shall be amended to reflect the substitution of the United States as the sole defendant on the claims against WHSC.

Dated: October 24, 2022

/s/ Indira Talwani

Honorable Indira Talwani
United States District Judge